

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Wei *et al.*

Appl. No. 09/006,353

Filed: January 13, 1998

For: **Tumor Necrosis Factor Receptor 5**

Art Unit: 1646

Examiner: Fitzgerald, D.

Atty. Docket: 1488.1280002

**Associate Power of Attorney**

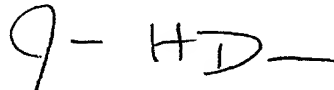
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

The undersigned, James H. Davis, attorney of record in the present application, hereby appoints Eric K. Steffe, Registration No. 36,688, of the firm **STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**, 1100 New York Avenue, N.W., Suite 600, Washington, D.C. 20005-3934 as Associate Attorney/Agent with full power to prosecute the above-identified application. All correspondence should be directed to said firm.

Respectfully submitted,

HUMAN GENOME SCIENCES, INC.



James H. Davis  
Attorney for Applicants  
Registration No. 40,582

Date: 5 Aug 99

9410 Key West Avenue  
Rockville, Maryland 20850  
(301) 309-8504

09/006,353-040501

**DECLARATION FOR PATENT APPLICATION**

As a below named inventor, I declare that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TUMOR NECROSIS FACTOR RECEPTOR 5**

the specification of which was filed on January 13, 1998 and assigned U.S. Application Serial No. 09/006,353.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application, which designated at least one country other than the United States listed below, and have also identified below any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s):

Priority Claimed  
Yes No

\_\_\_\_\_  
(Number) (Country) (Day/Month/Year Filed)

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

\_\_\_\_\_  
(Application Serial No.) (Filing Date)

\_\_\_\_\_  
(Application Serial No.) (Filing Date)

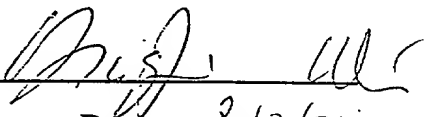
I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(b) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information that is material to patentability as defined in 37 C.F.R. § 1.56 that became available between the filing date of the prior application and the national or PCT international filing date of this application.

\_\_\_\_\_  
(Application Serial No.) (Filing Date) (Status: patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: A. Anders Brookes (Reg. No. 36,373), James H. Davis (Reg. No. 40,582) and Kenley Hoover (Reg. No. 40,302) of Human Genome Sciences, Inc. 9410 Key West Avenue, Rockville, Maryland, 20878.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: Ying-Fei Wei

Inventor's signature: 

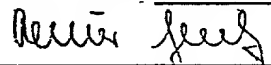
Date: 8/3/98

Residence: 1714-C Marina Court San Mateo, CA 94403

Citizenship: CN

Post Office Address: same as above

Full name of additional joint inventor: Reiner Gentz

Inventor's signature: 

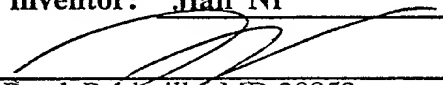
Date: 8-6-98

Residence: 13404 Fairland Park Drive, Silver Spring, MD 20904

Citizenship: DE

Post Office Address: same as above

Full name of additional joint inventor: Jian Ni

Inventor's signature: 

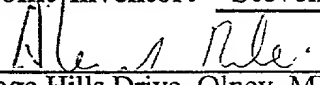
Date: 8/15/98

Residence: 5502 Manorfield Road, Rockville, MD 20853

Citizenship: CN

Post Office Address: same as above

Full name of additional joint inventor: Steven M. Ruben

Inventor's signature: 

Date: 8/11/98

Residence: 18528 Heritage Hills Drive, Olney, MD 20832

Citizenship: US

Post Office Address: same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Wei et al.

Appl. No.: 09/006,353

Art Unit: 1634

Filed: January 13, 1998

Examiner: O'Hara, E.

For: Tumor Necrosis Factor Receptor 5

Docket No.: 1488.1280002/EKS/EJH

ASSOCIATE POWER OF ATTORNEY

Assistant Commissioner for Patents .  
Washington, D.C. 20231

Sir:


The undersigned attorney of record hereby appoints the following as associate attorneys/agents:

Jonathan L. Klein (Reg. No. 41,119)  
Joseph J. Kenny (Reg. No. 43,710)  
Michelle S. Marks (Reg. No. 41,971)  
Michele M. Wales (Reg. No. 43,975)  
Human Genome Sciences, Inc.  
9410 Key West Avenue  
Rockville, Maryland 20850  
301-309-8504

to prosecute the above-captioned application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Respectfully submitted

Dated: April 17, 2000

  
Kenley K. Hoover (Reg. No. 40,302)  
Attorney for Applicants

Human Genome Sciences, Inc.  
9410 Key West Avenue  
Rockville, MD 20850  
Telephone: (301) 309-8504

Applicant: Wei *et al.*

Application No.: 09/006,353

Filed: January 13, 1998

For: Tumor Necrosis Factor Receptor 5

Due Date: April 26, 2000

Art Unit: 1646

Examiner: O'Hara, E.

Docket: 1488.1280002

Atty: EKS/EJH



INT  
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When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. PTO Transmittal Letter (*in duplicate*);
2. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
3. Amendment and Reply Under 37 C.F.R. § 1.111;
4. An original Associate Power of Attorney executed by Attorney of Record Kenley K. Hoover;
5. A Statement Concerning the Deposited cDNA Clone executed by attorney of record Jonathan L. Klein, with attached ATCC Deposit Receipt;
6. A Declaration of Ying-Fei Wei, Jian Ni, Reiner Gentz, and Steven Ruben Under 37 C.F.R. § 1.131 along with attached Exhibit A (in two counterparts);
7. A Substitute Specification submitted Under 37 C.F.R. § 1.125(b);
8. A marked up copy of the Substitute Specification;
9. Substitute Figures labeled 1A, 1B, 2A, 2B, 2C, and 2D;
10. Copies of the pages of Figures 1 and 2 as originally filed, with the proposed changes shown in red;
11. A copy of the abstract of Chou and Roizman, *J. Virol.* 57:629-637 (1986);
12. A Petition of Extension of Time (*in duplicate*); and
13. Our check no. 27356 in the amount of \$1,584.00 to cover the fee:  
    \$714.00 Extra claims ; and  
    \$870.00 For Extension of Time.

Please Date Stamp And Return To Our Courier

09826312.040504

Jan-23-01 12:14pm From-

T-165 P.03/09 F-586

9418/0772 PAGE 2

SONYA JOHNSON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

090321-040301

Jan-23-01 12:15pm From-

T-165 P 05/09 F-586

AGREEMENT, OTHER PAPER, PER PROPERTY	
LABOR CHARGES FOR SERVICES PER HOUR	584
(\$30) OR FRACTION THEREOF	
UNSPECIFIED OTHER SERVICES	585

FOI b7D b7C b7E b7F b7G b7H b7I b7J b7K b7L b7M b7N b7O b7P b7Q b7R b7S b7T b7U b7V b7W b7X b7Y b7Z

Serial No. 09/006,353  
Ref No. PF341**ASSIGNMENT**

For good and valuable consideration, the receipt of which is hereby acknowledged, each of the undersigned, **Ying-Fei Wei, Reiner Gentz, Jian Ni and Steven M. Ruben**, hereby sell, assign and transfer to Human Genome Sciences, Inc. ("Assignee") having a place of business at 9410 Key West Avenue, Rockville, MD 20850, its successors, assigns and legal representatives, his entire right, title and interest for the United States and all other countries, in and to the improvements(s) known as:

**Tumor Necrosis Factor Receptor 5**

for which an application for United States Letters Patent has been executed by the undersigned on Aug-3,6,10,11-98 also known as United States Application Serial No. 09/006,353, filed January 13, 1998 and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all other countries on any of said improvements, and in and to all original and reissued patents which have been or shall be issued in the United States and all other countries on said improvements (hereinafter collectively, the "Patent Rights").

The undersigned further agrees that said Assignee may apply for and receive Letters Patent for said improvements in its own name; and, when requested, without charge to but at the expense of Assignee, its successors, assigns and legal representatives, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue and all other patent applications on all such improvements; execute all rightful oaths, assignments, powers of attorney and other papers; communicate to said Assignee, its successors, assigns and representatives all facts known to the undersigned relating to said improvements and the history thereof; and do everything possible which said Assignee, its successors, assigns or representatives shall consider desirable for aiding in securing and maintaining proper patent protection for said improvements and for vesting title to said improvements and all applications for patent and all patents on said improvements in Assignee, its successors, assigns and representatives.

The undersigned hereby represents and warrants to Assignee, its successors, assigns and representatives that no assignment, grant, mortgage, license or other right or agreement affecting the rights and property herein conveyed has been made to others by the undersigned and that full right to convey the same as expressed herein is possessed by the undersigned.

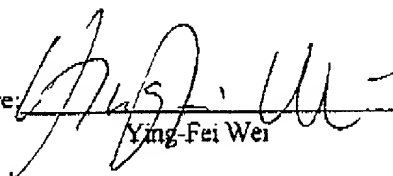
The undersigned hereby grants the power to A. Anders Brookes (Reg. No. 36,373), James H. Davis (Reg. No. 40,582) and Kenley Hoover (Reg. No. 40,302) of Human Genome Sciences, Inc., 9410 Key West Avenue, Rockville, Maryland, 20850 to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

09/006,353-040501

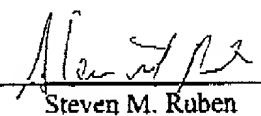


Serial No. 09/006,353  
Ref No: PF341

IN WITNESS WHEREOF, this Assignment is executed by the undersigned on the date(s)  
opposite their signature(s):

Inventor's Signature:  Date: 8/3/98  
Ying-Fei Wei

Inventor's Signature:  Date: 8-6-98  
Reiner Gentz

Inventor's Signature:  Date: 8/11/98  
Steven M. Ruben

Inventor's Signature:  Date: 8/17/98  
Jian Ni

0932231-04301  
T05040-21292350

## U.S. PATENT AND TRADEMARK OFFICE

BOX ASSIGNMENTS  
Case Docket No. PF341U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeRECORDATION FORM COVER SHEET  
PATENTS ONLYTo the Honorable Commissioner of Patents and Trademarks.  
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):  
 Ying-Fei Wei Executed on Aug-3-98  
 Reiner Genz Executed on: Aug-6-98  
 Steven M. Ruben Executed on Aug-11-98  
 Jian Ni Executed on Aug-10-98

3. Additional name(s) of conveying party(ies) attached?  
 Yes ☐ No ☒

Nature of conveyance

☒ Assignment ☐ Merger  
☐ Security Agreement ☐ Change of Name  
☐ Other \_\_\_\_\_

2. Name and address of receiving party(ies):

Name: Human Genome Sciences, Inc  
 Street Address 9410 Key West Avenue  
 City Rockville, Maryland 20850

Additional name(s) attached?  
 Yes ☐ No ☒

4. Title Tumor Necrosis Factor Receptor 5

5. Application number (s) or patent numbers (s)

A. Patent Application No. (s)  
09/006,353 Filed Jan-13-98

If this document is being filed together with a new application, the execution date of the application is:

B. Patent No.  
 Additional numbers attached?  
 Yes ☐ No ☒

6. Name and address of party to whom correspondence concerning documents should be mailed:

Human Genome Sciences, Inc.  
 9410 Key West Avenue  
 Rockville, Maryland 20850  
 Telephone: 301-309-8504 Facsimile: 301-309-8439

7. Total of applications and patents involved 1

8. Total Fee (37 CFR 3.41) \$40.00

☐ Enclosed (By check in total of filing fee and Assignment Recordation Fee)  
☒ Authorized to be charged to Deposit Account

9. Deposit Account No. 08-3425 (Attached duplicated copy of this page if paying by deposit account)

10. If any additional fees due in connection with the recordation of this Assignment, please charge the same to Deposit No. 08-3425

11. Statement and Signature

The best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

A. Anders Brookes  
 Name of Person Signing  
 Registration No. 36,373

Signature

8/24/98  
 Date

Total number of pages including cover sheet, attachment, and documents 3

105040 21292850

Applicant: WEI *et al.*

Due Date: N/A

Art Unit: 1646

Examiner: Fitzgerald, D.

Application No.: 09/006,353

Docket: 1488.1280002

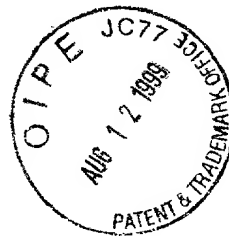
Filed: January 13, 1998

Atty: EKS/EJH

For: **Tumor Necrosis Factor Receptor 5**

When receipt stamp is placed hereon, the USPTO acknowledges receipt of the following documents:

1. Transmittal Letter (*in duplicate*);
2. Change of Correspondence Address (Form PTO/SB/122); and
3. Associate Power of Attorney.



**Please Date Stamp And Return To Our Courier**

Box:

105040-040501